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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,380	10/25/1999	WILLIAM S GATLEY	FASV-131-C1	1812
75	690 09/26/2002			
TERRENCE (TERY) MARTIN INVENSYS- INTELLECTUAL PROPERTY DEPARTMENT 33 COMMERCIAL STREET			EXAMINER	
			PEREZ, GUILLERMO	
B52-1J FOXBORO, MA 02035			ART UNIT	PAPER NUMBER
			2834	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. 09/426,390 GATLEY ET AL. Examiner California Art Unit State California Perez California Per		A					
## Calliminary Examinary Examinary Examinary Examinary 2334		Application No.	Applicant(s)				
Examiner		09/426,380	GATLEY ET AL.				
California Ca	Office Action Summary						
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the portiod for reply appeared because the state of the provision of the prov							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. THE MAILING DATE OF THIS COMMUNICATION. If the period for rectly specified above tile less than thiny (50) days, a rectly within the statutory minimum or thinty (30) days and the statutory minimum or thinty (30) days with the statutory minimum or thinty (30) days with the statutory minimum or thinty (30) days with the scale of the statutory minimum or thinty (30) days with the statutory minimum or thinty (30) days with the consideration. Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, ney reduce any rearried pattern than advantance. Status Status Status Status Responsive to communication(s) filed on 21 August 2002. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowence except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claim(s) 4) Claim(s) 26-32 and 34-39 is/are pending in the application. 4) Claim(s) 26-32 and 34-39 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 26-32 and 34-39 is/are rejected. 7) Claim(s) is/are objected to by the Examiner. 9) The specification is objected to by the Examiner. 4) The proposed drawing correction filed on is accepted or by objected to by the Examiner. 10) The drawing(s) filed on is accepted or by objection to the drawing(s) be held in abovance. S	The MAILING DATE of this communication appears on the cover sheet with the correspondence address						
Extensions of this may be suinble under this protection of 37 CPR 1.35(s). In no event, however, may a reply be timely filled after \$18.(s) (60NH35 from the mailing date of this communication. Pallure to reply within the set or estanded period for reply will be statutery, minimum of whith (30) days will be considered trinely. If NO period to reply is general above, the measure action of protection of the protection. Failure to reply within the set or estanded period for reply will by statute, cause the application to boroom ABANDONED (80 U.S. €, 133). Any reply recorded by the Citica Later than throse more station protection of the communication, even if timely filliat, may recure any station of the protection of the protection. Any reply recorded by the Citica Later than throse more activation of the protection of the pro	• •						
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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 21, 2002 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
 - Claims 26-32, 34-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eheim (U. S. Pat. 3,635,594) in view of Minton (U. S. Pat. 4,482,832) and further in view of F. N. Zimmermann et al. (U. S. Pat. 2,981,196).

Eheim substantially teaches the claimed invention except that it does not show that the mounting bracket have a sleeve housing for receiving a bearing assembly mounted to the rotor. Eheim does not disclose that the end cap is attachable to the main housing to encompass the impeller. Eheim does not disclose that the rotor have a plurality of laminations. Eheim does not disclose a radially extended portion on the main

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housing to enclose at least the bobbin. Eheim does not disclose that the radially extended portion includes vent slots such that rotation of the impeller circulates air through the vent slots in the radially extended portion to cool the motor assembly. Eheim does not disclose a radially extended portion on the end cap such that when the end cap is attached to the main housing, the radially extended portion encloses at least the bobbin. Eheim does not disclose vent slots in the radially extended portion such that rotation of the impeller circulates air through the vent slots formed in the radially extended portion to cool the motor assembly.

Minton discloses that the mounting bracket (64) have a sleeve housing for receiving a bearing assembly mounted to the rotor (68). Minton discloses that the rotor (68) have a plurality of laminations. Minton's invention has the purpose of securing the rotor assembly into position relative to the stator assembly.

F. N. Zimmermann et al. disclose that the end cap (60) is attachable to the main housing (20) to encompass the impeller (78). F. N. Zimmermann et al. disclose a radially extended portion on the main housing (20) to enclose at least the bobbin (figure 4). F. N. Zimmermann et al. disclose that the radially extended portion includes vent slots (62) such that rotation of the impeller (78) circulates air through the vent slots (62) in the radially extended portion to cool the motor assembly. F. N. Zimmermann et al. disclose a radially extended portion (61) on the end cap (60) such that when the end cap (60) is attached to the main housing (20), the radially extended portion (61) encloses at least the bobbin. F. N. Zimmermann et al. disclose vent slots (62) in the radially extended portion (61) such that rotation of the impeller (78) circulates air

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through the vent slots (62) formed in the radially extended portion (61) to cool the motor assembly. The invention of F. N. Zimmermann et al. has the purpose of cooling the motor assembly.

It would have been obvious at the time the invention was made to modify the invention of Eheim and provide it with the bracket, housing, end cap, and slots configuration disclosed by Minton and F. N. Zimmermann et al. for the purpose of securing the rotor assembly into position relative to the stator assembly and cooling the motor assembly.

Response to Arguments

Applicant's arguments with respect to claims 26-32, 34-39 have been considered but are most in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Perez whose telephone number is (703) 306-5443. The examiner can normally be reached on Monday through Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308 1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305 3432 for regular communications and (703) 305 3432 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Guillermo Perez September 24, 2002 HESTOR RAMIREZ
SUPERVISORY PATENT FAAMMER
TECHNOLOGY CENTER 2800